



**PARK CITY MUNICIPAL CORPORATION**

**SOILS ORDINANCE AREA ENVIRONMENTAL MANAGEMENT SYSTEM**

**2005 ANNUAL REPORT**

**November 30, 2005**

**Prepared by: Park City Municipal Corporation (PCMC)**  
**445 Marsac Avenue**  
**P.O. Box 1480**  
**Park City, Utah 84060-1480**  
**Jeff Schoenbacher, Environmental Coordinator**  
**(435) 615-5058**  
**[jschoenbacher@parkcity.org](mailto:jschoenbacher@parkcity.org)**

**Submitted to: Utah Department Environmental Quality**  
**168 North 1950 West**  
**Salt Lake City, UT 84114**  
**Mo Slam, Project Manager**  
**(801) 536-4282**

**United States Environmental Protection Agency**  
**Region 8**  
**999 18<sup>th</sup> Street**  
**Suite 500**  
**Denver, CO 80202**  
**Peggy Churchill, Project Manager**  
**(303) 312-6748**

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## **1.0 INTRODUCTION:**

In a cooperative effort with the Utah Department of Environmental Quality (UDEQ) and the United States Environmental Protection Agency (USEPA), Park City Municipal Corporation (PCMC) has agreed to the implementation of an Environmental Management System (EMS) to further protect human health and the environment within the Soils Ordinance Area. The established goals of the EMS were to define the environmental procedures, monitoring, education, and controls for containing soils impacted with mine tailings. The EMS program was adopted by resolution and funded by the City Council on April 15<sup>th</sup> 2004<sup>1</sup>. Furthermore, due to the requirements within the EMS, the City Council has also approved the revised “Park City’s Landscaping and Maintenance of Soil Cover Ordinance”<sup>2</sup> in order to support the EMS.

This report represents PCMC 2005 Annual Report, which the City agreed to submit to USEPA and UDEQ in order to summarize the annual EMS benchmarks that were completed this year.

## **2.0 SOIL MITIGATION COMPLIANCE PROGRAM**

Represented under Tab 14 is the current compliance map of all properties within the original soils ordinance boundary. The lots identified in red are properties that have been capped and are considered compliant with the ordinance. The lots identified in black, are properties that have either not been sampled or have been sampled and are under enforcement. Finally, the properties identified in yellow are units that were capped during the Improvement District time frame. Within the original ordinance boundary there are 293 residential lots and to date there remain 38 properties that have yet to be sampled or capped with 6” of acceptable cover. As a result, there are 255 lots that have been capped and sampled to verify compliance and subsequent issuance of a Certificate of Compliance.

As agreed upon within the EMS proposal, PCMC chose to pursue a goal of capping 15 lots per year. That goal was exceeded this year, resulting in 38 properties being issued “Certificate of Compliance” documents that verify the installation of a cap and acceptable cover (<200 ppm lead). Out of 38 lots, 35 properties were capped in accordance with the conventional landscaping standard of 6” of clean top soil substrate and vegetation layer. The remaining 3 properties were capped employing the xeriscape standard, which requires 6” of bark or rock with an underlying weed barrier. Typically, there continues to be many property owners that prefer the combination of the xeriscape and conventional landscaping standard. The xeriscape standard was a 2004 revision to the ordinance and provided owners with the flexibility of achieving compliance by implementing water conservation practices. Similar to last year, there were some owners that went even further with the xeriscape standard by installing a 6” clean top soil substrate along with weed barrier fabric, and 6” of bark or rock. It should also be noted that the repository at Richardson Flats has been a beneficial resource for property owners that were concerned with the financial impacts of disposing of soils within a permitted landfill. Because of the existence of the repository, many owners have removed berms containing mine tailings as well as those that have chosen to excavate an additional 12” to 16” and reincorporate clean topsoil and recertify their property. All of these owners utilized the repository for generated soils in order to achieve compliance with the ordinance.

The sampling protocol for a property seeking compliance remains the same; composite samples

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<sup>1</sup> Tab 1 – Council Resolution - 4/15/04

<sup>2</sup> Tab 2 - Chapter 15 – 11-15-1 Building Code

are procured from the front, back, and both sides of the dwelling. The samples are then submitted under a Chain of Custody to Chemtech-Ford Laboratory (State Certified) and analyzed for total lead. After receiving the final lab report that reflects lead levels <200 ppm, the property is determined to be compliant and a Certificate of Compliance is sent along with a sampling narrative, results report, site map, and Homeowner BMP Brochure<sup>3</sup>. Table 1.0 represents the properties that were capped this year<sup>4</sup> and subsequent lead concentrations:

**Table 1.0 Capped Lots**

SAMPLE ID#	DATE SAMPLED	ADDRESS	LOT AVERAGE
71341	4/11/2005	111 ROUND VALLEY DRIVE	52
74892B	10/14/2005	1114 PARK AVENUE	22
74453B	9/22/2005	1220 SULLIVAN RD - SOUND GRDN	20.60
052305	05/23/05	1412 PARK AVE	COMPLETE XERISCAPE
052305b	05/23/05	1418 PARK AVENUE	COMPLETE XERISCAPE
72337	6/9/2005	1760 PROSPECTOR AVEUNE	55.5
73451B	8/5/2005	2148 SEWINDER DRIVE	12.03
73723	8/17/2005	2168 MONARCH DRIVE	239.5
73637B	8/12/2005	2188 SUNRISE CIRCLE #A	16.79
73723B	8/17/2005	2188 SUNRISE CIRCLE #B	26.95
75063B	10/21/2005	2208 SUNRISE CIRCLE	20.99
74691	10/5/2005	2212 INA AVENUE	50.20
73515	8/10/2005	2214 COMSTOCK DRIVE	203.75
72923	7/11/2005	2227 MONARCH DRIVE	25.60
75682	11/23/2005	2230 DOC HOLLIDAY DRIVE	260
73870	8/22/2005	2242 DOC HOLLIDAY DRIVE	14.27
75335	11/7/2005	2249 SAMUEL COLT COURT	32.12
73987B	8/31/2005	2250 MONARCH DRIVE	30.10
72123B	5/31/2005	2252 INA AVENUE	18
74691C	10/5/2005	2266 DOC HOLLIDAY DRIVE	15.5
75335B	11/7/2005	2296 CALUMET CIRCLE	24.43
73515B	8/10/2005	2307 DOC HOLLIDAY DRIVE	21.32
100605	10/06/05	2309 CALUMET CIRCLE	COMPLETE XERISCAPE
72397C	6/14/2005	2316 CALUMET COURT	8.66
72397D	6/14/2005	2318 CALUMET COURT	8.66
72722B	6/27/2005	2323 CALUMET CIRCLE	66.10
75063C	10/24/2005	2336 SEWINDER DRIVE	27.79
102505B	10/24/2005	2424 DOC HOLLIDAY DRIVE	16.33
74892	10/13/2005	2512 LILY LANGTRY COURT	16.80
74892C	10/14/2005	2535 SEWINDER DRIVE	24.86
72510B	6/16/2005	2655 BUTCH CASSIDY COURT	20.85
73637	8/11/2005	2680 BUTCH CASSIDY COURT	9.54
74275B	9/13/2005	2706 ANNIE OAKLEY DRIVE	96.99
72923B	7/12/2005	2795 BUTCH CASSIDY COURT	154.4

<sup>3</sup> Tab 7 - Contains a typical sampling report.

<sup>4</sup> List includes lots within the original and expanded ordinance area.

SAMPLE ID#	DATE SAMPLED	ADDRESS	LOT AVERAGE
73987	8/31/2005	2820 SIDEWINDER DRIVE	17.60
75063	10/18/2005	2830 BUTCH CASSIDY COURT	48.46
74453C	9/22/2005	PROSPECTOR PARK ROAD	133
052705	5/27/2005	UNION PACIFIC RIGHT OF WAY	20.75

### 3.0 REVISED SOILS ORDINANCE - ADOPTED 01/13/05

The revisions to the “Landscaping and Maintenance of Soil Cover Ordinance” found within Park City Building Code Chapter 11-15 was revised and accepted by the City Council on December January 13<sup>th</sup>, 2005<sup>5</sup>. These revisions comprised of not allowing any parking on lots that have been issued a Certificate of Compliance in order to protect the installed cap. Also, the ordinance was expanded to include the Spiro Development which resides directly northwest from the original expanded soils ordinance boundary. The decision was made to expand the boundary to encompass this area, after a Phase II Environmental Assessment was conducted by Paladine Development Partners and revealed the site exhibited elevated lead levels exceeding USEPA’s Health Based Risk Standard of 400 ppm. As a result, the purpose of revising the ordinance was to reinforce the City’s commitment to protect human health and the environment by including the Spiro Annexation into the ordinance boundaries. Lastly, it is important to reiterate the following amendments to the ordinance that were adopted in 2004, which included:

- Acceptable cover was expanded from just grass and vegetation cover to include xeriscape landscaping practices. Specifically the standard requires a weed barrier fabric and 6” of rock or bark.
- Soils are strictly prohibited from being transported or reused outside the Soils Ordinance Boundary.
- Soils being disposed of are to be characterized for arsenic and lead and disposed of within a permitted facility depending on the TCLP characteristics.
- The reuse of soils within the Soils Ordinance Boundary is allowed providing the area is capped and the Building Department pre-approves the site.
- The boundary was redrawn to exclude Chatham Crossing due to PCMC, USEPA, and UDEQ concurring that the area does not pose a threat to human health or the environment. This was based on evaluating several years of soils data that further substantiated this claim<sup>6</sup>.
- The boundary has been expanded to include the Transit Center and the CERCLIS Marsac Mill Site. The purpose of including the Transit Center was to protect the facility and the Marsac Mill site, which is known to contain elevated levels of heavy metals.
- Non-compliant lots were required to conform by December 31, 2004.
- Non-sampled and uncharacterized lots are to be sampled by 2006.
- Non-compliance has been upgraded to a nuisance and enforced as a Class B Misdemeanor.
- The lot-testing fee for compliance has been waived and is now done without a \$100.00 charge to the owner. In addition, the City conducts sampling on generated soils destined for disposal and there is no charge for TCLP analysis.

<sup>5</sup> Tab 2 - Revised Ordinance

<sup>6</sup> Tab 15 – Map of revised Soils Ordinance Boundary

## 4.0 ANNUAL LOT RISK ASSESSMENT

The risk assessment was completed this year resulting in three properties; 2208 Sunrise Circle, 2100 Sidewinder Drive<sup>7</sup> and 2242 Doc Holliday Drive being identified as a nuisance and sent enforcement letters.

The property owners for 2208 Sunrise Circle and 2242 Doc Holliday Drive were taken to court and plead guilty for non-compliance and as a result a fine was issued in both cases. Typically the fines range from \$150 to \$1000 and it is at the discretion of the prosecutor who considers the extent of the infraction. The owner of 2208 Sunrise Circle is currently re-landscaping in order to attain compliance by the end of the year. The owner of 2242 Doc Holliday Drive has completed the corrective actions and a Certificate of Compliance was issued on August 22<sup>nd</sup> 2005. Regarding 2100 Sidewinder Drive, the owner of this property has signed an agreement to re-landscape the property and since the work commenced before the second notice, legal enforcement was placed on hold. In the event the property is not in compliance after that deadline, the City will re-file the case with the City Attorney's Office.

### 4.1 *Non-Characterized Lots*<sup>8</sup>

On January 13<sup>th</sup>, 2005 the City sent out 35 first notices that made owners aware that if they had not gotten their property sampled, that they were required to do so by January 1<sup>st</sup>, 2006. This has resulted in a number of owners requesting that their lot be sampled for compliance. In addition, some of these lots that were sampled this year also completed corrective actions and installed a compliant cap to contain underlying lead levels. Therefore some of these lots are part of the dataset that were issued a Certificate of Compliance this year.

### 4.2 *Lot Sampling*

This year the Prospector Home Owners Association drafted an awareness letter to the community asking for additional XRF volunteers (May 16<sup>th</sup> 2005). The volunteers consisted of two groups of property owners, **Group I (30)** were residents that had capped their property and had received a Certificate of Compliance and wanted to participate in the follow-up data collection efforts. These properties were sampled using XRF instrumentation by a trained AMEC Consulting technician. On June 29<sup>th</sup> 2005, a letter<sup>9</sup> was sent to the XRF volunteers making them aware that the sampling would occur during the week of July 12<sup>th</sup> 2005. For Group I, a total of thirty owners participated in the sampling and within this dataset are two lots that were sampled at the request of buyers as a contingency of the purchase. Of the Group I properties, only one property was found to have lead averages exceeding the EMS standard (2336 Sidewinder Drive). Because of 2336 Sidewinder Drive exceeding the EMS standard, the property was completely re-landscaped and on October 24<sup>th</sup> 2005 re-sampled revealing 27.80 ppm lead level. Of Group I dataset, four properties are owned by PCMC and are identified as:

- 1971 Cooke Drive
- 2336 Sidewinder Drive
- 900 Park Avenue
- 1998 Cooke Drive

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<sup>7</sup> Tab 3 – Enforcement Letter

<sup>8</sup> Tab 4 – Notice Letter for Non-Characterized Lots

<sup>9</sup> Tab 8 - Letter to Residents on XRF sampling.

**Group II (18)** were of property owners that had made landscaping improvements during the 1990's or participated in the Improvement District time frame (1988) and had never gotten the property sampled to determine eligibility for the "Certificate of Compliance". Since these properties were pursuing compliance, they were sampled by PCMC and analyzed with wet chemistry by Chem-Tech Ford located in Salt Lake City.

#### **4.3 XRF Results<sup>10</sup>**

As previously stated, for the thirty lots that were sampled, one property failed to be below the EMS 1000 ppm lead threshold. The following is the lot that exceeded the EMS threshold:

- 2336 Sidewinder 1594.40 ppm

The other 29 XRF sampled lots passed with the majority of the results being below USEPA Health Based Risk Standard of 400 ppm. Overall there were 156 XRF readings that were obtained by AMEC Consulting resulting in an overall average of 252.97 ppm lead. Regarding the property identified as 2336 Sidewinder, on October 24<sup>th</sup> 2005 the lot was re-sampled revealing 27.80 ppm lead level. This lot has been re-landscaped and is a designated community park. PCMC assumes that this lot exceeded the threshold because of the property being neglected in regards to allowing un-permitted parking and other activities.

For the remaining XRF volunteers that participated in the program, PCMC provided these owners with a letter that stated when their property was sampled and the results<sup>11</sup>. It should also be noted that these letters also included the Homeowner BMP Brochure for further education.

#### **4.4 Wet Chemistry Results<sup>12</sup>**

The 18 lots that were sampled and analyzed with wet chemistry were all compliant with the EMS standard, with the exception of two. Reviewing the wet chemistry results, out of 81 samples an average lead concentration of 586.60 ppm was observed. It should also be noted that there were some owners that decided to re-landscape their property regardless of the property passing the EMS benchmark.

The property identified as 2258 Little Bessie Avenue failed (1089 ppm) the EMS standard in a small non-landscaped portion of the property (VV1). That area was re-landscaped and re-inspected on September 28<sup>th</sup> 2005 and found to be compliant with the xeriscape standard, which comprised of installing a weed barrier fabric and acceptable bark cover at a depth of 6". Because of these corrective actions, the property's Certificate of Compliance was re-instated.

The second property identified as 2349 Doc Holliday Drive failed (1035 ppm) the EMS standard in a side and backyard (SS1A and SS2A). Since the property was sampled in the fall, the City entered into a mutual agreement with the property owner, that the corrective actions would be completed during the spring of 2006. Once the corrective actions are complete, the Certificate of Compliance will be re-instated as well as the property being re-sampled to verify compliance. It should also be noted that all property owners that participated in the EMS program are eligible for the Top Soil Assistance Program (Section 10.0) and are reimbursed for the importation of clean top-soil and acceptable cover.

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<sup>10</sup> Tab 10 - XRF Sampling Results

<sup>11</sup> Tab 9 - XRF Sampling Results Letter

<sup>12</sup> Tab 11 - Wet Chemistry Sampling Results

## **5.0 NON-COMPLIANT LOTS**

As reported in last year's annual report, on February 6th 2004, twenty-one properties were provided with a "Final Notice" before being referred to the City Attorney's Office for enforcement. Within that notice they were required to submit a work plan by June 1st 2004 in order to avoid enforcement. This year the City followed up with those owners that were sampled in 2004 and had not capped the property due to the approaching winter. There were ten properties that received "Final Notice" letters this year and the majority of those lots were compliant by the end of 2005<sup>13</sup>.

## **6.0 EDUCATION AND OUTREACH**

In order to assist with the EMS educational and outreach obligations, PCMC again developed and distributed two products named "Park City Environmental Information Handbook" and "Soils Ordinance Home Owners BMP Brochure". It should be noted that the EMS Educational and Outreach components of the program were recognized by the Utah Pollution Prevention Board for "Pollution Prevention – Community Outreach and Education". This year the Environmental Information Handbook and Home Owners BMP Brochure<sup>14</sup> were revised to reflect the current compliance map along with the following:

- Soils Ordinance FAQ's.
- Residential Best Management Practices
- Ordinance Boundary Compliance Map
- Top Soils Assistance Program (TSAP)
- Soils Ordinance Boundary Map
- Streets within Boundary
- Addresses within Boundary
- Gardening and Plant Bed Recommendations
- Storm Water Quality
- Conservation Reserve Program
- Open Space Information
- Recycling Program
- Household Waste Oil Acceptors
- Drinking Water Information
- Water Treatment Information
- Blue Sky Program
- Contacts and Reference (This section included the county contact for blood lead testing.)

The handbook has been well received by the public since it clarified some misunderstandings the community has had with the ordinance. The handbook was sent to the following entities as a reference:

- All owners of property within the original and expanded boundary.
- Real Estate Agents
- Land Management
- Local Pediatricians
- HOA's

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<sup>13</sup> Tab 3 - Contains an example of a "Final Notice" Letter.

<sup>14</sup> Tab 6



- Homebuyers
- PCMC employees
- Contractors
- Building Permit recipients

The second outreach product developed, was the Home Owners Best Management Practice Brochure<sup>15</sup>. This product was made available in the Building and Planning Department and was sent to the EMS outreach contacts that were agreed to by the Soils Stakeholder Group.

### **6.1      *Soil Ordinance Resident Notices***<sup>16</sup>

On February 24<sup>th</sup> 2005, residents that have been issued a “Certificate of Compliance” were sent a lead awareness letter. The purpose of this letter is to make them aware of the underlying lead levels that are contained by the installed clean topsoil cap. For those that received this correspondence, the City had historical data on the initial sampling that occurred for the lot before it was capped. This data was queried from the Environmental Database and all lots with an underlying lead level that exceeded the USEPA Health Based Risk Standard (400 ppm lead) for residential property received this correspondence. Also the Soils Ordinance Home Owners BMP brochure was sent to all ordinance addresses on September 15<sup>th</sup> 2005. This information is also included in all newly issued “Certificate of Compliance” documents that are sent to the owners. In addition to these outreach efforts, the brochure and handbook are made available at the Marsac Building and Park City Public Library.

### **6.2      *Summit County Lead Screening Services***

The Summit County Blood Lead Screening Service has been mentioned in both the Homeowner BMP Brochure and the Environmental Information Handbook under contacts and FAQs. The address and phone number for the county testing program is documented in these two outreach products for residents that wish to be tested. In addition, the City receives phone inquiries for testing children and they are referred to the Summit County Health Department.

### **6.3      *New Residents and Renters Orientation***<sup>17</sup>

PCMC has supplied the Environmental Information Handbook and BMP brochure to land management and real estate agencies. Tab 13 represents the letter that was sent along with the BMP brochures, which were sent to those companies on August 28th 2005. The Building Department receives numerous calls from prospective buyers and real estate agents requesting the information handbooks and BMP brochures.

### **6.4      *Real Estate Agent Orientation***

Real Estate agencies were provided with the Environmental Information Handbook and BMP brochure for distribution and to make them aware of the ordinance standards<sup>18</sup>. Nineteen agencies were sent this information on August 28th 2005. Furthermore, the Real Estate Community has been educated by PCMC presenting at the Board of Realtor meetings. During the meetings the handbook is distributed along with ordinance boundary maps, so there is no confusion regarding the boundaries.

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<sup>15</sup> Tab 11

<sup>16</sup> Tab 5

<sup>17</sup> Tab 13

<sup>18</sup> Tab 13

## 6.5 *Lead Awareness Campaign to Local Physicians*<sup>19</sup>

On August 28th 2005, five clinics were sent an awareness correspondence along with numerous BMP brochures for distribution. The correspondence also contained the Environmental Information Handbook which identifies the addresses that reside within the ordinance for reference purposes. Within that letter PCMC encourages physicians to test for blood lead for those clients residing within the boundary.

## 7.0 PROSPECTOR SAMPLING RECORDS AND DATA

PCMC continues to populate a comprehensive database to track lot compliance and analytical results. The database has been populated with analytical results dating back to 1985. This data includes initial sampling projects as well as verification sampling results that are conducted after the cap is installed. The system is integrated into a GIS ArcMap project that plots all capped lots and spatial evaluations can be conducted in regards to lead levels. Recently this system has been recognized by the Environmental Science Research Institute (ESRI) and the City views the application as a necessary component for administering the EMS.

## 8.0 PROSPECTOR DRAIN OUTFALL

Dr. Fitch with the University of Missouri Rolla is in the process of finalizing a preliminary design for the bio-cell that is planned and budgeted for 2006. The amount which has been committed for the design and construction of the wetland is \$150,000. This summer Dr. Fitch presented to PCMC Officials, John Whitehead, and Lee Duncan with a formal presentation.

Regarding the PCMC constructed pilot wetland, it has been sampled now for fourteen months revealing the unit reduces zinc by 44% and cadmium 76%. Dr. Fitch with the University of Missouri Rolla Civil Environmental Engineering Department along with a independent reviewer known as Nature Works (<http://www.nature-works.net>) are finalizing a design for a full scale unit to be constructed in 2006. Once Dr. Fitch has completed a final design UDEQ, USEPA, and the Upper Silver Creek Watershed Stakeholder Group, will be given the opportunity to review the design and pose questions to Dr. Fitch.

As previously stated, funding for this project was approved by the City Council and a budget of \$150,000.00 has been reserved for the construction of an anaerobic treatment system for treating the Prospector drain. Before the unit is constructed, PCMC will retrofit the drain in order to feed water to the anaerobic cell. This includes exposing the drain line at the start of PCMC owned land and installing a valve capable of adjusting the flow. Also planned is the isolation of the Prospector Drain flow to eliminate any surface water influence. This part of the project is planned to be completed this year and if weather does not permit, it will be completed spring of 2006.

**Table 2.0 2005 Prospector Drain and Pilot Sampling**

Date	Constituent	Prospector Drain mg/L	Pilot Results mg/L
1/4/2005	Cadmium	0.044	0.028
1/4/2005	Zinc	7.5	5.4
2/3/2005	Cadmium	0.043	0.017
2/3/2005	Zinc	7.5	8.8
3/25/2005	Cadmium	0.054	0.009

<sup>19</sup> Tab 12

Date	Constituent	Prospector Drain mg/L	Pilot Results mg/L
3/25/2005	Zinc	10	6.2
4/7/2005	Cadmium	0.069	0.005
4/7/2005	Zinc	9.6	6.3
5/2/2005	Cadmium	0.066	0.011
5/2/2005	Zinc	11	4.9
6/24/2005	Cadmium	0.068	0.011
6/24/2005	Zinc	9.95	7.81
7/12/2005	Cadmium	0.065	0.012
7/12/2005	Zinc	9.33	7.48
8/2/2005	Cadmium	0.06	0.01
8/2/2005	Zinc	9.79	4.84
9/22/2005	Cadmium	0.049	0.012
9/22/2005	Zinc	6.87	5.21
10/11/2005	Cadmium	0.083	0.047
10/11/2005	Zinc	8.73	7.24

## 9.0 WORKER HEALTH AND SAFETY

All external and internal utility or contract workers involved in generating soils and earthwork have been provided with a Worker Health and Safety Notice and recommended protective equipment. It is PCMC intent to increase worker awareness of practices that they can employ to minimize exposure to them and their families. This year the China Bridge Parking Expansion project commenced after the contractor signed a Soils Management Protocol, Storm Water Management Plan, and Work Health and Safety. Also the contractor was required to provide employees with the Worker Health and Safety Notice and make them aware of the necessary personal protection required for the project.

Once completed, this structure will comply with the same standards that the Transit Center was required to comply with under the Voluntary Clean-up Program. Other companies that were required to fulfill the above worker health and safety requirements and soil management protocol were Pacificorp, Park City Municipal Corporation, and Snyderville Water Reclamation District. Figure 1.0 represents the type of agreements that the City requires before utility projects are started within the soils ordinance area. Larger projects require a more extensive soils management protocol that specifies the worker health and safety requirements (PPE), disposal companies, and best management practices as it relates to storm water controls.

## **Figure 1.0      Pacificorp Soils Management for Kearns Project**

Page 1 of 1

**Jeff Schoenbacher**

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**From:** Stevens, Jeffery [Jeffery.Stevens@PacifiCorp.com]  
**Sent:** Wednesday, July 27, 2005 12:15 PM  
**To:** Jeff Schoenbacher  
**Subject:** trenching on Kearns Blvd.

Jeff, I have discussed with Vicky at Geary Const. the process required for the trench excavation for our electric cable on Kearns Blvd by the bike trail. the work will proceed as follows with your approval, Geary Const. will have the dig area blue staked, they will remove the sod along the trench line, the spoils from the trench will be placed on visquine plastic on the bike path, the 3 inch conduit will be installed in the trench at approx. 36 inches in depth the spoil pile will be used to refill the trench, a small compactor will compact the material, and the sod will be reinstalled, the trench will be closed each day, if the trench requires additional material clean top soil will be used. I will provide Geary Const. with the environmental handbook information you sent me. If you would like, we could all meet at the site to go over any concerns you might have. If there is anything else you need please let me know. Thanks Jeff Stevens. Utah power and light.

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7/27/2005

### **10.0 TOP SOIL ASSISTANCE PROGRAM (TSAP)**

Consistent with Council policy direction and to encourage accelerated compliance with the Soils Ordinance, the City has budgeted \$32,000 in Fiscal Year 2005 and \$15,000 Fiscal Year 2006. The implementation of the proposed TSAP is to provide property owners with assistance and incentive to procure compliant topsoil to adequately cap properties with known elevated lead levels. The TSAP has been divided into two funding phases; Phase I is specific to lots within the Original Ordinance Boundary (Prospector) and a Phase II is for the properties within the entire Soils Ordinance Boundary (Original and Expanded). The program was approved and funded by the City Council on August 11<sup>th</sup> 2004 and is administered by the Building Department. Upon issuance of a Certificate of Compliance the owner is provided with a TSAP summary fact sheet and instructions for reimbursement.

To date forty-two property owners have participated in the TSAP, resulting \$19,867.44 being reimbursed for the purchase of acceptable cover. The City believes that the Phase II component of this program is a long-term incentive for property owners that will need to cap property due to elevated lead levels exceeding the ordinance threshold.